

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

MATHEW J. KING,

Plaintiff,

v.

JAMES G. COX, et al.,

Defendants.

Case No. 2:13-cv-02080-APG-PAL

ORDER

This matter is before the court on the Notice of Under Seal Submission of Last Known Address (Dkt. #17). Plaintiff Mathew J. King is a prisoner proceeding in this matter pro se. He filed a complaint in state court, and on November 12, 2013, Defendants removed it to this court. *See* Petition for Removal (Dkt. #1). In an Order (Dkt. #6) entered May 5, 2014, the court screened the complaint pursuant to 28 U.S.C. § 1915 and entered a ninety-day stay to allow this case to be mediated. An inmate mediation conference was held on August 8, 2014; a settlement was not reached. *See* Minutes of Proceedings (Dkt. #11).

The Attorney General's Office accepted service on behalf of all Defendants except Duane Graham, a former employee of the Nevada Department of Corrections. *See* Notice of Acceptance of Service (Dkt. #15). Pursuant to the court's Order (Dkt. #12), the Attorney General's Office submitted the last known addresses for Defendant Graham under seal.

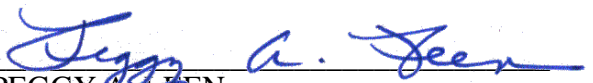
Having reviewed and considered the matter,

**IT IS ORDERED:**

1. The Clerk of Court shall issue summons to Defendant Graham and shall deliver the summons, Complaint (Dkt. #7), Sealed Submission of Last Known Addresses (Dkt. #16), and a copy of this Order to the United States Marshal Service ("USMS").

2. The USMS shall attempt to serve Defendant Graham with summons and the Complaint at the addresses listed in the Sealed Submission of Last Known Addresses on or before **December 5, 2014**.
3. The USMS shall provide Plaintiff with a Form USM-285 (without listing Defendant Graham's address) indicating whether service was effected.
4. Plaintiff shall file the Form USM-285 within ten days of receiving it from the USMS.
5. If the USMS is unable to serve Defendant Graham, and Plaintiff wishes to have service again attempted, a motion must be filed with the court specifying a more detailed name and/or address for Defendant Graham, or whether some other manner of service should be attempted.
6. Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, service must be accomplished within 120 days from the date of this Order.

Dated this 5th day of November, 2014.

  
PEGGY A. ZEEN  
UNITED STATES MAGISTRATE JUDGE